

Remarks

Applicants respectfully request reconsideration of the present U.S. Patent application as amended herein. Claims 1, 3, 4, 6, 7, 11, 12, 14, 15 and 17-22 have been amended. No claims have been added or canceled. Thus, claims 1-22 are pending.

CLAIM REJECTIONS – 35 U.S.C. § 112, SECOND PARAGRAPH

Claims 17-22 were rejected as being indefinite for lacking proper antecedent basis. Claims 17-22 have been amended to provide proper antecedent basis. Accordingly, Applicants request that the rejection of claims 17-22 as being indefinite be withdrawn.

CLAIM REJECTIONS – 35 U.S.C. § 101

Claims 9-16 and 20-22 were rejected as being directed to non-patentable subject matter. Independent claim 9 has been amended to explicitly recite a tangible storage medium and the specification has been amended to remove references to propagated signals. Therefore, the claims are directed to statutory subject matter. Accordingly, Applicants request that the rejection of claims 9-16 and 20-22 as being directed to non-statutory subject matter be withdrawn.

CLAIM REJECTIONS – 35 U.S.C. § 102(b)

Claims 1, 2, 4, 5, 7-10, 12, 13 and 15-22 were rejected as being anticipated by “An Interface Integrating Eye Gaze and Voice Recognition for Hands-Free Computer Access,” by Hatfield, et al., November 30, 1997 (*Hatfield*). For at least the reasons set

forth below, Applicants submit that claims 1, 2, 4, 5, 7-10, 12, 13 and 15-22 are not anticipated by *Hatfield*.

Claim 1 recites:

receiving, from an eye interpretation engine, at least an interpretation of eyetracking data corresponding to a plurality of users;
receiving external context data corresponding the interactions of the plurality of users with an application, wherein the external context data is related to an operational state associated with a computing device running the application; and

Thus, Applicants claim use of external context data and eyetracking data *from a plurality of users*. Claims 4, 7, 9, 12 and 15 similarly recite various embodiments of use of external context data and eyetracking data *from a plurality of users*.

Hatfield discloses a user interface that utilizes both eye gaze data and voice recognition data. This allows *a single user* to interact with a computer system. Because *Hatfield* discloses use of data from a single user and not from a plurality of users as recited in the claims *Hatfield* cannot anticipate the invention as recited in claims 1, 4, 7, 9, 12 and 15.

Claims 2, 3 and 17 depend from claim 1. Claims 5, 6 and 18 depend from claim 4. Claims 8 and 19 depend from claim 7. Claims 10 and 20 depend from claim 9. Claims 13 and 21 depend from claim 12. Claim 22 depends from claim 15. Because dependent claims include the limitations of the claims from which they depend, Applicants submit that claims 2, 5, 8, 10, 13 and 16-22 are not anticipated by *Hatfield* for at least the reasons set forth above.

CLAIM REJECTIONS – 35 U.S.C. § 103(a)

Claims 3, 6, 11 and 14 were rejected as being unpatentable over *Hatfield* in view of U.S. Patent No. 6,608,615 issued to Martins, et al. (*Martins*). As discussed above, *Hatfield* discloses single user input. *Martins* is cited to teach monitoring areas not viewed. Without agreeing with the characterization, Applicants submit that even if the assertion is accurate, the resulting combination does not teach or suggest the invention as claimed in claims 3, 6, 11 and 14.

CONCLUSION

For at least the foregoing reasons, Applicants submit that the rejections have been overcome. Therefore, claims 1-22 are in condition for allowance and such action is earnestly solicited. The Examiner is respectfully requested to contact the undersigned by telephone if such contact would further the examination of the present application. Please charge any shortages and credit any overcharges to our Deposit Account number 02-2666.

Respectfully submitted,
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